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Resolution adopted by the Human Rights Council on 28 September 2018

39/22. Technical assistance and capacity-building to improve human rights in the Sudan

The Human Rights Council,

Guided by the principles and purposes of the Charter of the United Nations,

Recalling the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights and other relevant international human rights instruments,

Recalling also General Assembly resolution 60/251 of 15 March 2006 and Human Rights Council resolutions 5/1 and 5/2 of 18 June 2007,

Recalling further Human Rights Council resolution 36/26 of 29 September 2017,

Emphasizing that States have the primary responsibility for the promotion and protection of all human rights,

Welcoming the humanitarian policies of the Government of the Sudan, which seek to facilitate and accelerate unhindered humanitarian access, while encouraging the Government to protect and provide humanitarian assistance to populations in need, and encouraging the Government also to intensify its endeavours to continue its commitment to address humanitarian needs in conflict-affected areas,

Welcoming also the positive and constructive engagement of the Government of the Sudan with United Nations agencies and the Special Representative of the Secretary-General for Children and Armed Conflict, which has resulted in the delisting of the Government from the recruitment and use of children following the completion of its action plan with the United Nations,

Welcoming further the hosting by the Government of the Sudan of peace negotiations between the Government of South Sudan and opposition movements under the auspices of the Intergovernmental Authority on Development, and commending the mediation role played by the Government of the Sudan in the negotiations process, which culminated in the signing of a peace agreement on 5 August 2018,

1. *Welcomes* the work of the Independent Expert on the situation of human rights in the Sudan;

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2. *Takes note* of the report of the Independent Expert submitted to the Human Rights Council at its thirty-ninth session,[1] and of the comments of the Government of the Sudan thereon;[2]

3. *Notes with appreciation* the cooperation of the Government of the Sudan with the Independent Expert to enable him to fulfil his mandate, and the Government's stated commitment to continue that cooperation;

4. *Requests* the Independent Expert to work with all relevant partners to provide technical assistance and capacity-building to relevant entities of the Government of the Sudan, national agencies and other stakeholders;

5. *Notes with appreciation* the outcomes to date of the ongoing national dialogue in the Sudan and implementation to date with a view to achieving sustainable peace, encourages the inclusive participation of all Sudanese stakeholders, and encourages all stakeholders to ensure an environment conducive to inclusive, transparent and credible dialogue;

6. *Commends* the Government of the Sudan for the extension of the unilateral declaration of cessation of hostilities, and calls upon remaining armed groups to declare an unconditional cessation of hostilities and to negotiate in good faith to achieve a permanent ceasefire;

7. *Commends* the hosting by the Sudan of more than one million refugees from neighbouring countries and other countries in the region, and the opening of five humanitarian corridors to provide life-saving interventions to those affected by conflict;

8. *Notes with appreciation* the continued efforts of the Government of the Sudan to implement the universal periodic review recommendations it has accepted, and encourages the Government to continue its cooperation with the review process, including further implementation of accepted recommendations;

9. *Also notes with appreciation* positive developments, such as the appointment of the Chairperson, Deputy Chairperson and Commissioners of the Sudan National Commission for Human Rights in April 2018, the efforts of the Government of the Sudan to combat human trafficking and smuggling and its continuous engagement and cooperation with different partners in these fields, the steps it has taken in the campaign on small arms control with the aim of ensuring security and the rule of law, and its completion of the action plan for the protection of children from violations in armed conflict;

10. *Acknowledges* the observations made by the Independent Expert in his report, urges the Government of the Sudan to ensure respect for the human rights of all individuals, and expresses concern about reported incidents of harassment, arbitrary arrest and prolonged detention, including of students, journalists, human rights defenders and members of civil society organizations, the increased number of seizures and censorship of newspapers, as well as other restrictions on the rights to freedom of expression, association and peaceful assembly, while urging the Government to respect its constitutional and international obligations and commitments and to safeguard freedom of religion or belief;

11. *Welcomes* the efforts of the Government of the Sudan to investigate alleged human rights abuses and violations by all parties, and encourages its efforts to hold perpetrators to account as its foremost priority, while noting the view that bringing all government agencies and offices into line with the State's international human rights obligations and commitments can improve the human rights environment in the Sudan;

12. *Also welcomes* the improvements in security in areas of conflict in the Sudan, encourages all sides to build on these developments, urges the Government of Sudan to address alleged violations or abuses of human rights in conflict zones, including those involving sexual and gender-based violence, and urges all parties to protect civilians and to pursue peace;

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[1] A/HRC/39/71.

[2] A/HRC/39/71/Add.1.

13. *Urges* Member States, the United Nations High Commissioner for Human Rights, relevant United Nations agencies and other stakeholders to support the efforts of the Government of the Sudan in accordance with the present resolution with a view to further improving the situation of human rights in the country and by responding to the Government's requests for technical assistance and capacity-building;

14. *Requests* the Office of the High Commissioner, taking into account, inter alia, the recommendations of the Independent Expert, to provide technical assistance and capacity-building in ways to improve the situation of human rights in the country and with a view to providing support for the country to fulfil its human rights obligations and commitments;

15. *Decides* to renew the mandate of the Independent Expert for a period of one year or until the provisions of paragraph 19 below take effect, whichever is earlier;

16. *Requests* the Independent Expert to present a report on the implementation of his mandate, including recommendations on technical assistance and capacity-building, to the Human Rights Council for consideration at its forty-second session;

17. *Calls upon* the Government of the Sudan to continue its full cooperation with the Independent Expert, to continue to permit effective access to visit all areas of the country, and to meet with all relevant actors;

18. *Requests* the Office of the High Commissioner to provide the Independent Expert with all the financial and human resources necessary for the implementation of the mandate;

19. *Decides* that the termination of the mandate of the Independent Expert will take effect on the day that a country office of the Office of the High Commissioner, in accordance with General Assembly resolution 48/141 of 20 December 1993, is declared operational by the Office of the High Commissioner and the Government of the Sudan;

20. *Requests* the Government of the Sudan and the Office of the High Commissioner to engage constructively to agree on the modalities and mandate for the establishment of a country office no later than September 2019;

21. *Requests* the Secretary-General to provide the Office of the High Commissioner with all the necessary resources to implement the present resolution;

22. *Requests* the Government of the Sudan and the Office of the High Commissioner to present their oral reports on progress towards the opening of a country office during an enhanced interactive dialogue at the forty-first session of the Human Rights Council;

23. *Decides* to consider this issue under agenda item 10.

41st meeting
28 September 2018

[Adopted without a vote.]